



## Chad

### Country Reports on Human Rights Practices - [2001](#)

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Chad is a centralized republic dominated by a strong presidency. President Idriss Deby, leader of the Patriotic Salvation Movement (MPS), has ruled since taking power in a 1990 rebellion. The Sovereign National Conference (CNS) confirmed Deby in 1993 as Chief of State; he was elected President in 1996 under a Constitution adopted in a referendum earlier that year. On May 10, he was reelected; according to credible reports, fraud, widespread vote rigging, and local irregularities marred both the May presidential elections and the 1997 legislative elections in which members of the MPS won 65 of 125 seats in the National Assembly. The Government remained unable to exert effective control over the Tibesti Massif in the northwestern region of the country where former Defense Minister Youssouf Togoimi began a rebellion in 1998. In May 2000, the President and the National Assembly appointed 15 members of the High Court of Justice, despite a law providing for their election. The Supreme Court began full operations in October 2000. The Constitution mandates an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference.

The army, Gendarmerie (State Police Force), police, National and Nomadic Guard (NNG), and intelligence services are responsible for internal security. Officers from President Deby's ethnic group dominate the Rapid Intervention Force (FIR) and the National Security Agency (ANS), a counterintelligence organization that has acted as an internal political police force. The National Army, Gendarmerie, the NNG, and the Republican Guard (the Presidential Security Force) were deployed to fight the rebels. The various military and security forces generally are responsive to the civilian control of the Ministry of Defense (ANS and FIR), Ministry of the Interior (Gendarmerie and NNG), and the Presidency (Republican Guard and the Presidential Security Force). The security forces continued to commit serious human rights abuses.

The country's population is approximately 8.4 million, and the economy is based on subsistence agriculture, herding, and fishing, with more than 80 percent of the workforce is involved in these activities. The country's nominal gross domestic product is estimated at just over \$1.43 billion (approximately 1 trillion CFA francs) with per capita income at approximately \$188 per year (approximately 134,000 CFA francs). The country has little industry, but exports cotton, cattle, and gum arabic. The country's economy remained vulnerable to fluctuations in prices and production levels of its principal export products, and development of other sectors is hindered by particularly high energy costs and poor transportation infrastructure. Other impediments to sustainable economic growth were corruption and a thriving informal sector outside of government taxation policies. The Chad-Cameroon oil pipeline project officially started in October 2000, and the construction of infrastructure for the project continued during the year. The Government remained heavily dependent on assistance from external donors and international financial institutions.

The Government's human rights record remained poor, and serious problems continued. The Government limited citizens' right to change their government. State security forces committed extrajudicial killings and disappearances, and they continued to torture, beat, and abuse persons; however, there were no reports that security forces committed any rapes. The authorities beat members of the opposition. Prison conditions remained harsh and life threatening. Security forces continued to use arbitrary arrest and detention; the authorities arrested opposition leaders. Although the Government detained and convicted some members of the its security forces implicated or accused of criminal acts, it rarely prosecuted or punished members of the security forces who committed human rights abuses. The Government also did not prosecute or punish security force personnel accused in previous years of killings, rape, torture, arbitrary arrest and detention. Lengthy pretrial detention remained a problem. The judiciary remained subject to executive interference and was unable to provide citizens with prompt trials. The Government held political detainees. Security forces used illegal searches and wiretaps and monitored the contents of private mail. The Government generally respected freedom of speech; however, the Government at times limited freedom of the press in practice. The

Government took judicial action against independent newspapers for publishing material, which it deemed prejudicial to the Government, on the rebellion in the north and actions of senior officials. The Government limited freedom of assembly. At times the Government limited freedom of religion and movement. Local authorities arrested and beat election observers. Violence and societal discrimination against women remained common. Female genital mutilation (FGM) remained widespread, although public opinion in support of the practice has diminished somewhat. Both official and societal ethnic and regional discrimination remained widespread; northerners, in particular members of President Deby's Zaghawa ethnic minority, continued to dominate key positions in the public sector. There also were reports of forced labor, including forced child labor. Child labor is a problem. Intermittent armed conflict between the Government and rebels in the Tibesti continued.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

Officially sanctioned extrajudicial killings of suspected criminals by police, customs officers, and gendarmes continued, although some members of the security forces who committed such acts were taken into custody for judicial adjudication. Units of the armed forces were responsible for the extrajudicial killings of suspected members of the northwestern rebellion in the Tibesti. The extrajudicial killings rarely were directed centrally; they usually occurred outside the capital, where there is less control over local armed forces.

On May 19, two soldiers killed Jean Paul Kimtolnan, a sentry working for the nongovernmental organization (NGO) World Vision, in the southern city of Doba. Although the authorities promised to bring the soldiers to justice, no action was taken by year's end.

On May 30, following the presidential elections, security forces shot and killed 20-year-old Brahim Selguet, who was participating in a gathering outside the home of Saleh Kebzabo, one of the defeated opposition candidates (see Sections 2.b. and 3).

In July one person died after being arrested and tortured (see Section 1.c.).

Armed bandits operated on many roads, assaulting, robbing, and killing travelers; some bandits were identified as active duty soldiers or deserters (see Section 2.d.).

In late 2000, presidential security forces reportedly executed nine prisoners of war from the northern Movement for Democracy and Justice in Chad (MDJT) rebel group, including agronomist Yaya Labadri, who had been taken prisoner during an engagement with government forces.

There is unlikely to be any action taken in several past extrajudicial killings. Cases involving rebels killed by government forces remain unresolved, including the January 2000 murder of 25 Toubou men related to rebel leader Togoimi (see Section 1.c.). Likewise, no action was taken against the Republican Guards who in May 2000 kidnaped and beat several civilians in a N'Djamena park, killing one; against officials in Bol who beat to death three men in 1999; against police in Tan'djile after two businessmen died while in their custody in 1999; against the security forces who killed seven presumed thieves in the Mayo Kebbi and Bongor areas in January 1999; or Hemchi Dogori, a gendarme who in 1999 fired on a group of villagers in Gourma and injured nine persons and killed one.

In 2000 approximately 10,000 government armed forces engaged in sporadic battles with 1,000 to 2,000 insurgents in the Tibesti region in the northwest part of the country. Both government and insurgent forces suffered heavy casualties, including members of the leadership. Fighting continued in 2000, and in July the Government suffered heavy casualties when the insurgents seized a major base. Toward the end of 2000, the fighting intensified, and there were heavy casualties on both sides. There were sporadic reports of rebel-government clashes during the year.

On October 31, two family members of Mahamat Abakar stabbed and killed Maxime Mbailaou in front of an N'Djamena bank. According to eyewitnesses, police standing nearby did not intervene to stop the killing. Mbailaou had been in protective custody since May when Abakar, a partisan of the ruling MPS party, had been stabbed by supporters of another party and had fled to Mbailaou's bar for protection; he died outside the bar. Although Mbailaou was not involved in the killing, Abakar's family held him responsible. Mbailaou had received permission to visit the bank under armed escort; however, when seen by Abakar's family, they attacked and killed him. Despite a positive identification of the two attackers, no one was arrested until December when

Hassane Abakar was indicted; although the prosecutor's office objected, the trial judge released Abakar on bail in contravention of the law.

Throughout the year, members of the Tibesti rebellion reported that members of the army committed human rights abuses and killed suspected collaborators among the civilian population.

Landmines laid by government, foreign, and rebel forces in previous years caused numerous deaths during the year (see Section 5).

On December 29 and 30, according to press reports, four herders were killed in a cross-border raid into the country by Central African Republic (CAR) troops led by the Chadian rebel, Abdoulaye Miskine. Miskine, according to an interview with the Interior Minister, had taken refuge in the CAR several years ago; however, this was his first known cross-border attack. It is unclear if CAR security forces were involved. In the interview, the Interior Minister said that Chadian troops did not follow the raiders back across the border.

#### b. Disappearances

Unlike in the previous year, there were no reports of politically motivated disappearances.

In May 2000, soldiers in Tibesti followed and shot businessman Souleyman Toke and a friend who were returning from Libya by car. Souleyman's friend was injured seriously and evacuated to Faya hospital. Toke was accused of supporting the Togoimi rebellion and sent to N'Djamena; he has not been seen since that time.

Cases of disappearances from 1998, including that of Kibel Justin, are unlikely to be solved.

#### c. Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution specifically prohibits such practices; however, members of the security forces tortured, beat, abused, and raped citizens. Unlike in the previous year, there were no reports that security forces committed any rapes during the year. Local authorities in several areas arrested and beat election monitors (see Section 3). Impunity for those who commit human rights abuses remained widespread.

On January 13, a member of the armed forces beat Juliette Denemadji Abdelkader, a teacher in the southern city of Sarh. The attack on Abdelkader, which occurred while the military allegedly was chasing a suspected thief through the school grounds, was unprovoked. She subsequently filed a complaint, but no action was taken despite several demonstrations, organized by other female teachers, in front of the local Ministry of Education representative's office and in front of the local prefecture's offices.

On May 12, the central police captain in Sarh shot five agronomy students in the legs. The most critically injured had to be evacuated for medical care. No action was taken against the responsible officer by year's end.

Following the May presidential elections, security forces in N'Djamena physically mistreated Member of Parliament (M.P.) and presidential candidate Ngarlji Yorongar. Police beat the spokesman for the opposition collective known as the Forces Vives, Djasnabaye, at a different police station (see Sections 1.d. and 3). No action was taken against the responsible officers by year's end.

On June 11, approximately 100 women gathered outside the French Embassy to present a petition protesting the election results to the French ambassador. There was a violent confrontation between riot police and the women in which 14 women were injured seriously and subsequently hospitalized (see Section 2.b.).

On June 23, police found Moustapha Tahir, an accused drug trafficker, and brought him to the central police station in Abeche, where he was beaten by four policemen. There was no investigation in this case by year's end.

In July security forces arrested and tortured four persons, including one woman, in the eastern city of Abeche; one later died. No action was taken against the responsible officers by year's end.

According to human rights groups, also in July, nine army officers were arrested in the southern province of Barh Koh, and accused of plotting a rebellion. They were tied up and tortured using "arbatachar" (in which the victim's arms and legs are tied behind his back, cutting off circulation and sometimes resulting in paralysis) and

transferred to N'Djamena, where seven remained in custody at year's end. The Government released two of the officers, who received medical treatment for the torture that they sustained.

In September security forces raided the home of Dobian Assingar, president of the Chadian League for Human Rights, in the middle of the night. When they did not find Assingar at home, the forces beat his children and left. Those responsible for the beatings later were arrested and questioned by the judiciary police, but subsequently vanished. No further action was taken by year's end.

Following an intercommunal killing in September, local security forces in Bongor intervened, favoring one group and providing weapons and support. In the ensuing violence, several persons were killed and injured. Once central authorities became aware of the incident, the central Government tried to restore peace. At year's end, following intervention by the National Mediator, there was an uneasy truce between the two communities.

In 1999 the Government disbanded the Special Weapons and Tactics Unit (RAID), a specialized police unit under the Ministry of Interior's authority, which had committed numerous human rights abuses in previous years. In 2000 a new chief of the Police Rapid Action Company (CARP) dismissed corrupt members of the unit; however, during the year, there were no similar actions taken. During the year, members of the CARP tortured, beat, and raped detainees (see Section 1.d.).

After obtaining authorization from President Deby, in January 2000, victims filed a class action suit against torturers in the regime of Hisssein Habre, who ruled from 1981 to 1990; however, a court in Senegal (where Habre resides) ruled that it had no jurisdiction over the case. The matter remained unresolved at year's end.

Throughout 2000 security forces harassed rebel leader Youssouf Togoimi's family, and government security agents closely observed their movements; however, such actions did not occur during the year.

There were no reports of any investigation or action taken against the members of the security forces responsible for the following incidents in 2000: The October reported beating and abuse of a Zaghawa tribesman who was acting erratically near an embassy and died 3 days after his release from the National Security prison; the June severe beating, torturing, raping, and robbing with impunity of the residents of several villages in the south--Bessokoyan, Bekolo, Bembaitada, and Bamadja--that the army accused of supporting the rebel chief Kette Nodji Moise; the May beating of Armel Ramadji, a high school student; the May severe beating of a civilian, Abdoulaye Absakine.

Landmines laid by government, foreign, and rebel forces in previous years caused numerous injuries during the year (see Section 5).

On May 19, the car carrying opposition leader Valentin Bidi from a campaign event supporting one of President Deby's opponents was attacked. The eight unknown attackers, armed with arrows, batons, and machetes, injured three passengers (one seriously), including Bidi.

On September 28, supporters of the MPS beat five party members in opposition candidate Yorongar's escort car near the presidential palace.

Prison conditions were harsh and life threatening. Prisons were characterized by serious overcrowding; poor sanitation; inadequate food, shelter, and medical facilities. The Government reported that there were more than 2,000 prisoners in 46 prisons throughout the country with nearly 700 in N'Djamena's Central Prison. The prison, built to hold 350 prisoners, was scheduled to be replaced during the year by a newer facility; however, construction of the new prison was behind schedule and only approximately 35-40 percent of the work was finished by year's end. The law provides that a doctor must visit each prison three times a week; however, there were credible reports that this was not done. The law authorizes forced labor in prison.

Female prisoners usually were separated from males; however juvenile males were held with adult male prisoners. Pretrial detainees and political prisoners are held with the general (criminal) prison population.

The Government permitted the International Committee of the Red Cross (ICRC) to visit all prisons, including some military prisons, although the Government insisted on advance notice. The ICRC conducted such visits during the year. Domestic NGO's, including human rights groups, may visit a prison only with authorization from a court or from the Director of Prisons. These groups reportedly were not allowed access to military prisons, and their access to civilian prisons depended greatly on the personal inclinations of judges and prison administrators.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution and the Penal Code prohibit arbitrary arrest; however, security forces continue to use arbitrary arrest and detention. A judicial official must sign arrest warrants; however, the Government often did not respect this requirement.

Local authorities in several areas arrested and beat election observers (see Section 3).

On May 22, regional military commanders ordered the arrest of Captains Abdallah Bahar and Abdoulaye Abderkerim for allegedly organizing a rebellion. They were transferred from the border town of Adre to Abeche on May 31, where they were held in a basement converted into prison. Although the prefect conducted an investigation and could not establish the captains' involvement in the rebellion, they remained in detention at year's end.

Following the May 20 presidential elections, police twice arrested all six opposition candidates, including three parliamentarians, thereby violating their parliamentary immunity. Several others associated with the candidates also were arrested (see Sections 2.b. and 3).

In July the authorities arrested nine army officers suspected of fomenting rebellion. Seven remained imprisoned at year's end despite a lack of evidence to support the charges; all were tortured (see Section 1.c.).

On September 3, security forces kidnaped and detained for 8 days Sabe Salam, World Vision's Chief of Donor Relations; the security forces presented no warrant or proof of judicial proceedings. They charged that he had used World Vision's resources to campaign on behalf of opposition candidates and to influence the local population in favor of these candidates; World Vision summarily denied these charges. Although the NGO reported that Salam appeared to have been tortured during his detention, he would not speak about it.

In March 2000, the police chief of Pala arrested and tortured a schoolteacher, Tigalou Mbaiky. He was detained without charge or trial, and a human rights organization reported that he was released by the end of 2000. There was no government response to the torture or arbitrary detention accusations by year's end.

In May 2000, the Sultan of Kanem arrested a large number of adherents of an Islamic group, Faydal Djarja (see Section 2.c.).

A relative of an advisor to the rebel Togoimi reported that the police arrested him and 25 other Toubou men in April 2000. The person was released, but he credibly reported to a human rights group that the other 25 men were killed (see Section 1.a.).

Members of the CARP were responsible for numerous cases of arbitrary arrest and detention; they beat, tortured, and raped detainees without sanction by government authorities (see Section 1.c.). Unlike in the previous year, there were no reports that security forces committed any rapes. In 2000 the CARP chief was replaced, and one officer was fired for abuses; however, authorities took no action against him by year's end.

Lengthy pretrial detention was a problem. Persons accused of crimes may endure up to several years of incarceration before being charged or tried, especially those arrested for felonies in the provinces, who must await remand to the overcrowded prison in N'Djamena (see Section 1.c.).

The Government continued to hold political detainees. Political detainees either eventually are released or they disappear (see Section 1.b.). On two occasions in May, authorities arrested and detained briefly six opposition candidates for political reasons (see Sections 2.b. and 3).

The Government does not practice forced exile; however, some family members of persons who have joined the northern rebellion choose to leave the country for security reasons.

#### e. Denial of a Fair Public Trial

The Constitution mandates an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, and subject to executive interference. In practice government officials and other influential persons often enjoyed immunity from judicial sanction. In April 2000, the Chief Justice demoted two Supreme Court justices, Maki Adam and Ruth Romba, reportedly because they made a decision adversely affecting the interests of the Chief Justice.

In 1999 President Deby swore in 16 members of the Supreme Court as well as 9 members of the Constitutional Court. In May 2000, the National Assembly enacted legislation calling for the election of 15 members of the High Court of Justice; however, they were appointed by President Deby and the president of the National Assembly. The court began formal operations on May 24, 2000, after the justices were appointed. Although the establishment of these bodies fulfilled the Constitution's mandate for a judicial branch, some of the members of the Supreme Court and the Constitutional Court were appointed by the Government and not elected by citizens as required by the law, which weakened the independence of the courts. Also due to inadequate funding, the courts did not begin full operations until October 2000.

The Constitution mandates a Superior Council of Magistrates to act as a guarantor of judicial independence, and during the year, the Council sanctioned several judges for malfeasance. The national judicial system operates with courts located in provincial capitals. The N'Djamena Court of Appeals is supposed to conduct regular sessions in the provinces, but funding limitations did not permit the court to make periodic circuit visits.

Applicable law can be confusing, as courts often tend to blend the formal French-derived legal code with traditional practices. Residents of rural areas often lack effective access to formal judicial institutions. In most civil cases, they rely on traditional courts presided over by village chiefs, canton chiefs, or sultans. Decisions may be appealed to a formal court.

Official inaction and executive interference continued to plague the judiciary. Long delays in trials resulted in lengthy pretrial detention (see Section 1.d.). The 48-hour temporary police custody period after which a detainee should be released if not brought before a judge was not respected (see Section 1.d.). Detainees were not released but remained in jail due to lack of evidence, witnesses, or poor preparation of their cases.

The salaries of judicial officials often were low. Although the Government has stated that the strengthening and reform of the judiciary are top priorities, it made little progress in these areas by year's end.

The Government has not enforced the Military Code of Justice since the 1979-80 civil war, and courts-martial instituted early in the Deby regime to try security personnel for crimes against civilians no longer operated by year's end.

No action was taken, and none appears likely, against five soldiers who attacked and stoned a defendant at a session of N'Djamena's criminal court in August 2000.

There were no reliable figures concerning the number of political prisoners. During the year, the Government reported that there were no political prisoners. In June 2000, detainees implicated in Kette Moise's rebellion--Charles Mbairem, Padjia Ortingar, Mbairassem Elysee, Djikossem Nidja, Todjimbaye, and Michel Mbailemel--received public trials. However, other individuals arrested for suspicion of subversive activities against the Government in the Tibesti region simply were released or disappeared (see Sections 1.b. and 1.d.).

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, authorities used illegal searches and wiretaps and monitored the contents of private mail. The Penal Code requires authorities to conduct searches of homes only during daylight hours and with a legal warrant; however, in practice security forces ignored these provisions and conducted extrajudicial searches at any time.

In September security forces raided the home of Dobian Assinger and beat his children when they realized Assinger was not at home (see Section 1.c.).

The Government engaged in wiretapping without judicial authorization, monitored the contents of private mail through the postal service, and monitored private e-mail through the main post office server. In 2000 the president of the political party Mouvement pour la Democratie au Chad reported to human rights groups that his telephone line continued to be tapped. According to a local newspaper report in March 2000, the telephone lines of two embassies and opposition supporters also were tapped; however, unlike in the previous year, there were no reports of government wire tapping during the year. Officials of domestic human rights groups charged that their telephone lines are tapped.

The Government officially does not permit the use of minors in the military, and observers believe that most minors were demobilized in 1997; however, there were credible reports that the military conscripted teenage Zaghawa to fight in the Tibesti region of the country.

In 2000 the Government illegally and forcibly conscripted young men from eastern areas of the country and Sudan into the army where they were trained for fighting against rebel forces in northern areas of the country. During the year, as the rebellion subsided, forced conscription generally was confined to the northern regions.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected freedom of speech; however, the Government at times limited freedom of the press in practice. Unlike in previous years, the Government did not detain journalists during the year. However, the Government continued to threaten journalists with legal retaliation for publishing material on the rebellion in the northern part of the country or about senior government officials accused of corruption or responsibility for attacks on Chadians in Libya. Unlike in past years, in late 2000 and early in the year, the Government retaliated against two opposition newspapers, N'Djamena Bi-Hebdo and Le Temps. In December 2000, Garonde Djarama, who had written a letter to the editor of N'Djamena Bi-Hebdo criticizing the killing of Chadian workers in Libya and the Government's subsequent inaction, received a 6-month suspended jail sentence and a \$68 (50,000 CFA francs) fine; the paper's director of publication was acquitted.

In November 2000, General Ali Abdallah, prefect of Logone Occidental province, sued Le Temps's Director of Publication, Michael Didama, over an article investigating Abdallah's role in a presidential assassination attempt. Didama was convicted, fined \$7,000 (5,025,000 CFA francs), and given a 6-month suspended jail sentence. At the same time, members of the Presidential Guard sued Didama for defamation after Le Temps printed a communique released by an armed rebel group, listing those killed in a December 2000 skirmish between rebels and loyalists in the Tibesti. On February 5, the authorities arrested Didama and detained him for 3 hours. When the prosecutor decided to close the case for lack of sufficient evidence, the soldiers threatened Didama.

The Government controls the newspapers Info Tchad and Victoire and influences Le Progres; however, it does not dominate the press. A number of private newspapers are published in the capital; most were extremely critical of government policies and leaders.

Due to widespread illiteracy and the relatively high cost of newspapers and television, radio is the most important medium of mass communication and information. The Catholic Church-owned La Voix du Paysan broadcasts locally produced programming including news coverage and political commentary in French and indigenous languages from Doba over a 140-mile range. The High Council on Communications (HCC), an independent institution, has set the licensing fee for a commercial radio station at a prohibitively high level: approximately \$9,000 (5 million CFA francs) per year, 10 times the fee for radio stations owned by nonprofit NGO's such as La Voix du Paysan. However, the number of private FM stations has increased, including station FM Liberte, owned by a group of human rights organizations, which began operations and programming in August 2000.

The Government placed limits on radio broadcasting. On April 18, the HCC limited private FM radio stations' coverage of the presidential elections (see Section 3). This ban included a prohibition on organizing and holding debates with the candidates or their representatives, and endorsements or editorials. Radio FM Liberte defied the prohibition and was threatened with closure, although they later worked out a compromise with the HCC that allowed FM Liberte to cover most events. The authorities in the southern city of Moissala also threatened the local station, Radio Brakos, with closure after it disclosed allegations of misconduct by local gendarmes.

The Government owns and operates the only domestic television station. A new private television station was registered during the year; however, demand for private television stations are limited by economic conditions, such as the lack of a sizeable audience with the required purchasing power. There is one privately owned cable television station service that distributes foreign-sourced programming in French and Arabic, but relatively few citizens can afford to subscribe to the service. A South African cable station also sells subscriptions.

The official media, consisting of a national radio network, a press agency, and N'Djamena's only national television station, were subject to both official and informal censorship; however, at times they were critical of the Government. The official media also gave top priority to government officials and events, while providing less attention to the opposition. The HCC acts as an arbiter whose main function is to promote free access to the media; however, it has no powers of enforcement.

The sole Internet access server is provided by the government-owned telecommunications monopoly. The Government does not restrict access to the Internet; however, the state-owned firm reportedly set prices and provided a quality of service that has discouraged the establishment of private domestic Internet service providers.

The Government does not restrict academic freedom.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government limited this right in practice. The law requires organizers of public demonstrations to notify local authorities 5 days in advance of the demonstration. Authorities banned demonstrations critical of the Government despite being notified in advance as required by law. In contrast, the authorities condoned peaceful demonstrations in support of the Government and its policies.

When the election commission's announced in late May that initial results indicated that President Deby had won reelection, the opposition candidates sought to organize a mass rally and march through N'Djamena, to protest what they viewed as a stolen election. The Government denied a parade permit, offering instead to allow the opposition to hold a mass meeting in the National Assembly building. The candidates refused, but agreed some weeks later to a rally in the somewhat larger National Stadium. However, on May 28, the six defeated candidates and their staffs held a meeting at the home of one, Saleh Kebzabo. Under the Interior Minister's instruction, police raided the meeting and arrested all six candidates (see Section 1.d.). They were released an hour later. That same day, members of the Presidential Guard fired at opposition supporters who were participating in a peaceful, spontaneous rally outside Kebzabo's home. Brahim Selguet died after the Presidential Guard shot him in the head and stomach (see Section 1.a.); four others were injured. The Government did permit a peaceful women's march to accompany Selguet's funeral.

On May 30, the police rearrested the six opposition candidates, their campaign directors, the president of the Union of Chadian Labor Unions (UST), and his secretary (see Sections 1.d. and 3). Police held them for more than 12 hours before releasing them. During that time one of the opposition candidates, Ngarlji Yorongar, was physically mistreated (see Section 1.c.).

On June 11, approximately 100 women gathered outside the French Embassy to present a petition protesting the election results to the French ambassador. There are conflicting reports about the ensuing events. According to human rights groups, riot police lobbed tear gas canisters at the women for no reason; a total of 14 women were injured seriously and were hospitalized. According to other observers, the women provoked the police by taking their clothing off, an extremely insulting act under local cultural standards. By year's end, no action had been taken against the police in any of these cases (see Section 1.c.).

The Constitution provides for freedom of association, and the Government generally respected this right in practice.

#### c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respects this right in practice; however, at times it limited this right. The Constitution also provides that the country shall be a secular state; however, despite the secular nature of the state, a large proportion of senior government officials, including President Deby, are Muslims, and some policies favor Islam in practice. For example, the Government sponsored annual Hajj trips to Mecca for certain government officials.

The Government requires religious groups, including both foreign missionary groups and domestic religious groups, to register with the Ministry of Interior's Department for Religious Affairs. Registration confers official recognition but not any tax preferences or other benefits. There are no specific legal penalties for failure to register, and there were no reports that any group had failed to apply for registration or that the registration process is unduly burdensome. The Government reportedly has denied official recognition to some groups of Arab Muslims in Ati, near the eastern border with Sudan, on the grounds that they have incorporated elements of traditional African religion, such as dancing and singing, into their worship.

According to a Protestant pastor in N'Djamena, while differing faiths or denominations are treated equally by the Government, Islamic congregations appear to have an easier time obtaining official permission for their activities. Non-Islamic religious leaders also claimed that Islamic officials and organizations received greater tax exemptions and unofficial financial support from the Government. State lands reportedly were accorded to Islamic leaders for the purpose of building mosques, while other religious denominations must purchase land



at market rates to build churches. However, during the year, at least one Christian congregation was able to reclaim a former building that was being used by a Muslim congregation, because the Government found that the Christian church had a stronger legal claim to the building.

The Government has imprisoned and sanctioned fundamentalist Islamic imams believed to be promoting conflict among Muslims. In 1999 the Government arbitrarily arrested and detained Imam Sheikh Mahamat Marouf, the fundamentalist Islamic leader of the northeastern town of Abeche, and refused to allow his followers to meet and pray openly in their mosque. Sheikh Marouf was released from prison after nearly 1 year in jail. Sheikh Marouf may pray but is not permitted to lead prayers. His followers are allowed to pray in their mosques, but they are forbidden from debating religious beliefs in any way that might be considered proselytizing; however, the Tidjani followers throughout the country are allowed to proselytize. The Government claimed that the imam was responsible for inciting religious violence; however, the imam's followers rejected the Government's claim and cited religious differences with the Government.

On October 4, the Interior Minister formally banned the Fayda al-Jahria (also spelled Faydal Djaria), a Sufi group that adheres to a mystical form of Islam. The Sufi order originated in Nigeria and Senegal and incorporates singing and dancing into its religious ceremonies and activities. In the country, the group is found from the Kanem region around Lake Chad to neighboring Chari Baguirmi. The October ban was the latest in a series of government actions taken against the group. In May 2000, the Sultan of Kanem arrested a large number of Fayda al-Jahria adherents. The Chadian Superior Council of Islamic Affairs has long considered that the Faydal Djaria group does not conform to Islamic tenets and had requested the Ministry of Interior to arrest the group's spiritual leader, Ahmat Abdallah. The Minister of Interior previously had banned the group in January 1998; however, from the beginning of 2000, the group increasingly was active, which resulted in the arrests in the Kanem. The Director of Religious Affairs at the Ministry of Interior requested that the Superior Council of Islamic Affairs provide the specific sections of the Koran that support the ban of the group. However, the October ban was implemented on technical grounds, and the Government did not recognize the group's registration. There was an undetermined number of Faydal Djaria adherents in prison in Kanem at year's end.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, there are some limits on them in practice. The Government did not require special permission for travel in areas that it effectively controls; however, elements of the security forces, rebels, and bandits continued to maintain many roadblocks throughout the country, extorting money from travelers. The Government did not officially condone such behavior on the part of members of security forces, but it did not discourage it effectively. In addition, armed bandits operated on many roads, assaulting, robbing, and killing travelers; some bandits were identified as active duty soldiers or deserters (see Section 1.a.).

In March 2000, the Government refused to issue passports to the wife and children of rebel leader Togoimi. At the end of 2000, Togoimi's family limited their movements in response to government surveillance; they did not pursue their request for passports, despite the Ministry of Interior's statements indicating that the Government was disposed to reconsider favorably the Togoimi family's earlier request.

Some family members of persons who have joined the northern rebellion choose to leave the country for security reasons.

Chadian refugees legally are free to repatriate. On August 15-16, 610 Chadian refugees returned home from Yaounde, Cameroon, under the auspices of UNHCR; they followed a group of 288 that returned from Douala, Cameroon, in July. Over the course of 10 days in January, UNHCR repatriated the final 2,000 Chadian refugees resident in refugee camps in the CAR. This program, which began in 1995, repatriated a total of 14,000 citizens who had fled the civil war of the 1980's. In October 2000, at least 350 families were repatriated from Libya after clashes between Libyans and sub-Saharan Africans, which were described in the press as xenophobic reactions by the Libyans. Most Chadian refugees reside in the Niger, Libya, Sudan, Nigeria, and Cameroon. The World Refugee Survey stated that nearly 50,000 Chadians were refugees (more than 40,000 in Cameroon, 5,000 in the Sudan, an undetermined number in the CAR, and 3,000 in Nigeria as of the end of 2000).

The Government adheres to the principles of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, these principles are not incorporated into the law. An official national structure, the National Committee for Welcoming and Reinsertion, addresses domestic and foreign refugee affairs. The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations assisting refugees. Since 1993 the Government has registered refugees in N'Djamena and sent their applications for refugee status to UNHCR Central African headquarters in Kinshasa, the Democratic Republic of the Congo, or other regional UNHCR offices in Africa. A person whose application is accepted is

eligible to enroll in a 6-month care maintenance program that includes a monthly subsistence allowance, medical care, and assistance in finding work; a local NGO funded this program. The Government provides first asylum for refugees and has done so in past years. The Government has granted refugee and asylum status informally to persons from Sudan and the Republic of the Congo and has allowed them to remain for resettlement. The World Refugee Survey stated that the country hosted 20,000 Sudanese refugees at the end of 2000.

In November General Francois Bozize of the CAR was accused of plotting a coup against the CAR Government and fled to southern Chad after fighting with loyalist CAR troops in northern CAR. The Chadian Government has refused to extradite him despite CAR government appeals.

There were no reports of the forced return of persons to a country where they feared persecution.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, the Government continued to limit this right in practice. The Government is headed by a prime minister who is nominated by the President and confirmed by the National Assembly. In 1999 President Deby appointed Nagoum Yamassoum as the Prime Minister.

During the period leading up to and following the May 20 presidential election, several cases of abuses against opposition supporters and candidates took place. For example, on April 19, members of the ruling MPS party attacked two opposition Federation Action for the Republic (FAR) party members during a campaign event in support of their candidate, Ngarlely Yorongar. That same day, attackers injured and threatened with death another FAR supporter in a different neighborhood; the attackers shredded his party flag. Other opposition parties also were targeted, both in N'Djamena and outside the capital (see Sections 1.c. and 2.b.). On May 19, opposition leader Valentin Bidi was attacked (see Section 1.c.). The MPS in turn claimed that its campaign workers were intimidated in opposition strongholds.

According to several observers, President Deby's first-round victory was marked by irregularities, including voting by minors and unregistered voters, early and repeat voting by nomad groups, election day campaigning by the ruling party, and the presence of government officials and the military in polling stations during the voting. While monitoring the voting process, unofficial observers from local human rights and civil society groups were assaulted in polling stations. According to human rights groups, local authorities in Abeche, Ati, Chokoyan and N'Djamena arrested and beat observers from the Chadian Human Rights Collective and from the Labor Union Collective. In Abeche and N'Djamena Bilala, the authorities threw the observers out of all polling stations. The authorities also denied opposition observers access to official tallies after the vote. When the election commission's announced in late May that initial result indicated that President Deby had won reelection, the opposition candidates sought to organize a mass rally and march through N'Djamena, to protest what they viewed as a stolen election. The Government denied a parade permit, and on May 28, police arrested all six opposition candidates during a meeting. Security forces deployed that day beat and injured numerous opposition supporters, and killed Brahim Selguet (see Sections 1.a., 1.d., and 2.b.). Two days later, security forces rearrested the six candidates and their top assistants; all later were released, although one (Yorongar) was mistreated physically. On June 13, the Constitutional Court threw out one-third of the provisional votes cast in favor of President Deby. Nevertheless, Deby still won reelection with 63 percent of the vote.

The Government restricted media coverage of the elections (see Section 2.a.).

The 1997 National Assembly elections, in which President Deby's MPS party won 65 of a total of 125 seats in the National Assembly, were compromised by widely reported fraud, including vote rigging and other irregularities committed by election officers, government officials, members of the ruling party, and others.

The State remains highly centralized. The national Government appoints all subnational government officials, who also must rely on the central Government for most of their revenues and their administrative personnel. Using its parliamentary majority, the Government passed twin legislative bills in 1999 outlining the country's proposed decentralization structure for local government elections as required by the Constitution. Local elections have been delayed since the conclusion of the 1997 parliamentary elections and are not scheduled to occur until at least 2002. In September 1999, the Constitutional Court returned both legislative bills to the Parliament after finding that they violated the Constitution. In January 2000, the Constitutional Court rejected a decree redrawing provincial borders and separately rejected the bill on decentralization.

Many political parties objected to the Government's proposed decentralization plan and presidentially decreed

internal territorial divisions, which appeared to be an attempt at gerrymandering. Opposition political leaders accused the Government of coopting their most popular local politicians to run as MPS members in upcoming local elections and also alleged intimidation by the military against those party members who refused.

The National Assembly created an Independent Elections Commission (CENI) in September 2000 to prepare for the presidential and National Assembly elections. The President's political party dominates the CENI. The CENI oversaw the May 20 presidential elections.

The percentage of women in government and politics does not correspond to their percentage in the population. Few women hold senior leadership positions. There are 2 women of cabinet rank, and there are 3 women who are members of the 125-seat National Assembly.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Human rights organizations generally operate with few overt restrictions, investigating and publishing their findings on human rights cases; however, the Government obstructed the work of human rights organizations during the year through arrest, detention, and intimidation (see Sections 1.c. and 1.d.). Government officials often are accessible to human rights advocates; however, they generally are unresponsive or hostile to their findings. Areas of particular difficulty between the Government and human rights organizations were the latter's attempts to mediate between the Government and rebel groups and their attempts to monitor the presidential election (see Section 3).

In September security forces raided the home of Dobian Assingar, president of the Chadian League for Human Rights and beat his children (see Section 1.c.).

Officials of domestic human rights groups charged that their telephone lines were tapped.

Human rights groups were outspoken, and often partisan, in publicizing the abuses through reports, press releases, and the print media; however, they only occasionally were able to intervene successfully with authorities. They often sent statements to diplomatic missions and international NGO's. Most human rights groups were composed of opponents of the Government, which impaired their credibility with the Government and also with international organizations.

NGO's have gained recognition under the Deby regime and play a role in political events. Human rights groups have assisted the Government in mediation efforts to reconcile the ancient conflict between herders and farmers over land and water rights.

At the end of 1999, the Collective of Human Rights Associations, consisting of five human rights organizations, issued a declaration urging the Government to respect human rights; there was no government response.

International human rights organizations were constrained. Since 1996 the Government has refused Amnesty International's request to investigate human rights abuses in the country. The Government permitted a representative of Human Rights Watch to visit the country, but only because the investigation centered around human rights problems of deposed dictator Hissein Habre and not around existing human rights concerns.

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens, regardless of origin, race, religion, political opinion, or social status. In practice cultural traditions maintain women in a status subordinate to men, and the Government favors its ethnic supporters and allies.

##### Women

Domestic violence against women was believed to be common, although no statistics were available. By tradition wives are subject to the authority of their husbands, and they only had limited legal recourse against abuse. Family or traditional authorities may act in such cases; however, police rarely intervened.

Rape, prostitution, and sexual harassment were all problems. Rape and prostitution are prohibited by law; however, sexual harassment is not.

FGM, which is condemned widely by international health experts as damaging to both physical and psychological health, is widespread and deeply rooted in tradition. A 1995 U.N. study estimated that approximately 60 percent of all women have undergone FGM; the practice is especially prevalent among ethnic groups in the east and south, where it was introduced from Sudan. All three types of FGM are practiced; the least common but most dangerous and severe form of FGM, infibulation, is confined largely to the region on the eastern border with Sudan. FGM usually is performed prior to puberty as a rite of passage and an occasion during which many families profit from gifts from their communities.

Opposition to the elimination of FGM is strong; however, some progress has been made. Both the Government and the NGO community in the previous years have conducted active and sustained public education campaigns against this practice. During the year, one prominent NGO continued its anti-FGM education campaign at the canton level in six different prefectures. The Ministry of Social Action and the Family is responsible for coordinating activities to combat FGM. The law makes FGM theoretically a prosecutable offense as a form of assault, and charges can be brought against the parents of FGM victims, medical practitioners, or others involved in the action; however, no suits have been brought under the law. A law to criminalize the practice of FGM was passed by the Council of Ministers; however, by year's end, no action had been taken by the National Assembly.

Discrimination against women remained widespread. In practice women do not have equal opportunities for education and training, making it difficult for them to compete for the few formal sector jobs. Property and inheritance laws do not discriminate against women, but traditional practice favors men. The exploitation of women was pervasive especially in rural areas, where women do most of the agricultural labor and are discouraged from formal schooling. Illiteracy was estimated at 65 percent for women, but only 38 percent for men. Under the law, polygyny is sanctioned; however, spouses may opt for monogamy. If a monogamous relationship is violated, the marriage may be dissolved at the wife's request alone; however, she must repay the bride price and other expenses related to the marriage.

In 1999 the Government held meetings with representatives of religious groups and civil society to update the Family Code; however, no action was taken to amend the Family Code by year's end. In the absence of a comprehensive law governing women's rights, the Family Code sets the parameters of women's rights under the law. The various religious and ethnic communities could not reach any consensus. In a subsequent meeting with the national women's group during the year, the group called upon the Government and the rebels to cease the fighting in the Tibesti.

#### Children

The Government took several actions to improve children's rights and welfare, but it has few resources to devote to them. Although the Government continued to increase modestly its assistance to the education sector, the Government does not have enough money to provide adequate funding to public education and medical care. Government education policy for children and youth is focused on increasing classroom facilities and infrastructure.

The Government does not enforce compulsory education. The Constitution provides for compulsory education, but it does not specify until which particular age. The Constitution also provides for free education; however, parents complained that they must pay tuition to public schools. Educational opportunities for girls were limited, mainly because of tradition. Approximately as many girls as boys were enrolled in primary school, but the percentage of girls enrolled in secondary school was extremely low, primarily because of early marriage.

The law considers any citizen under the age of 18 years as a minor. Sexual relations, even with consent, before the age of 13 years are considered to be rape and the prescribed sentence is for hard labor in perpetuity; the age of consent is 14. Rape of children and child abuse were problems.

FGM is practiced commonly on young girls (see Section 5, Women).

Although the law prohibits sexual relations with a girl under the age of 14, even if married, this law rarely is enforced, and families arrange marriages for girls as young as the age of 12 or 13; the minimum age for engagements is 11 to 12. There were some forced marriages, for the financial gain of a dowry (see Section 6.c.). Many young wives then were forced to work long hours of physical labor for their husbands in fields or homes.

Children also work in agriculture and herding (see Section 6.d.).

#### Persons with Disabilities

There is no official discrimination against persons with disabilities; however, the Government operated only a few therapy, education, or employment programs for persons with disabilities, and no laws mandate access to buildings for persons with disabilities. Several local NGO's provide skills training to the deaf and blind.

#### Religious Minorities

Although the different religious communities generally coexisted without problems, there were reports of occasional tension between Christians and Muslims due to the proselytizing by evangelical Christians. In addition tensions and conflicts between government supporters from the politically dominant northern region and rebels from the politically subordinate southern region occasionally had religious overtones.

#### National/Racial/Ethnic Minorities

There are approximately 200 ethnic groups, many of which are concentrated regionally and speak 128 distinct primary languages. Most ethnic groups are affiliated with one of two regional and cultural traditions: Arab and Saharan/Sahelian zone Muslims in the north, center, and east; and Sudanian zone Christian or animist groups in the south. However, recent migrations in response to urbanization and desertification made a north-south breakdown too simplistic.

Societal discrimination continued to be practiced routinely by members of virtually all ethnic groups and was evident in patterns of buying and employment, in patterns of de facto segregation in urban neighborhoods, and in the paucity of interethnic marriages, especially across the north-south divide. The law prohibits state discrimination on the basis of ethnicity; however, in practice ethnicity continued to influence government appointments and political alliances. Northerners, in particular members of President Deby's Zaghawa ethnic group, continued to dominate the public sector and were overrepresented in key institutions of state power, including the military officer corps, elite military units, and the presidential staff. Political parties and groups generally continued to have readily identifiable regional or ethnic bases.

In the army's struggle against the Tibesti rebels, hundreds of soldiers were killed or injured by landmines in 1998 and 1999; numerous deaths and injuries from landmines continued during the year. During the year, the Government exhibited a pattern of discrimination in selectively separating injured northerners, especially Zaghawa, from southerners for treatment, with the Zaghawa given preferential medical treatment, including evacuation abroad. Human rights groups in Faya Largeau charged that many untreated injured southerners were left to die as a result of the selective access to medical treatment based solely on ethnicity.

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution recognizes freedom of association and union membership, as well as the right to strike, and the Government generally respected the right to organize in practice. All employees, except members of the armed forces, are free to join or form unions. However, few workers belong to unions, since most workers are unpaid subsistence cultivators or herders. The main labor organization is the UST. The Teacher's Union of Chad became independent in 1998. Neither union has a tie to the Government. A number of minor federations and unions, including the Free Confederation of Chadian Workers, also operated, some with ties to government officials.

The Labor Code ended long-standing legal restrictions on trade union rights; however, there were reports that a 1962 ordinance requiring prior authorization from the Ministry of the Interior before an association can be formed still was in force. The ordinance also allowed for the immediate administrative dissolution of an association and permitted the authorities to oversee associations' funds. The Government allegedly has applied this law to unions on several occasions despite assurances that only the Labor Code would govern the unions, there were no reports of such action during the year. The International Labor Organization (ILO) Committee of Experts has cited the Government for its denial of the right to establish an organization without prior approval. The Committee noted that Ordinance No 27 regulating associations subjects the establishment of associations to the Ministry of the Interior who has extensive power to oversee the management under penalty of dissolution.

The Constitution recognizes the right to strike, and the Government generally respected this in practice. Ordinances of the law permitted forced labor imprisonment for participation in strikes; however, there was no such punishment during the year. During the year, there were strikes in various sectors, particularly petroleum and education.

The unions were supportive of the opposition and played an active role in the presidential election campaign. On May 30, the police arrested the President of the UST along with six opposition candidates (see Sections 1.d. and 2.b.). The Government applied some pressure on the unions after the election, urging them to go back to focusing on labor issues rather than politics.

Labor unions have the right to affiliate internationally. The UST affiliates with the International Confederation of Free Trade Unions.

#### b. The Right to Organize and Bargain Collectively

The Constitution contains only general provisions for the rights of the Government to set minimum wage standards and to permit unions to bargain collectively. The Labor Code has specific provisions on collective bargaining and workers' rights. The Labor Code empowers the Government to intervene in the bargaining process under certain circumstances.

The Labor Code protects unions against antiunion discrimination, but there is no formal mechanism for resolving such complaints.

There are no export processing zones.

#### c. Prohibition of Forced or Compulsory Labor

The Constitution and the Labor Code prohibit slavery and forced or compulsory labor by adults and children; however, there were reports of forced labor practices in the formal economy, and isolated instances of forced labor by both children and adults in the rural sector by local authorities as well as in military installations in the north. In 2000 a local newspaper reported that workers in the National Sugar Company of Chad (SONASUT), the sugar parastatal, were forced to work but were not paid. Some young girls were forced into marriages by their families; these girls then were forced to work in their husbands' fields or homes (see Section 5). There were reports that Zaghawas were conscripted forcibly into the armed forces throughout the year. In December 2000, security forces in N'Djamena reportedly rounded up army deserters and other individuals described as bandits, sent them to the northern military front, and forced them to fight alongside government troops. Ordinances of the law permitted forced labor imprisonment for participation in strikes, which the ILO has requested the Government to repeal; however, the ordinances were not repealed by year's end.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code stipulates that the minimum age for employment in the formal sector is 14 years; however, the Government did not enforce the law in practice. Children rarely were employed except in agriculture and herding due to the high unemployment rate; however, throughout the country, children worked in agriculture and herding during the year. Children rarely were employed in the commercial sector; however, some children worked on contract with herders, and other children worked as street vendors.

Abusive and exploitative child labor existed and affected an estimated 19 percent of children between the ages of 6 and 18 years of age. For example, in 2000 12-year-old Ngaryade Togyambaye and 16-year-old Nanguerimbaya Masrabaye were taken from school and delivered by their father, Ngaryade Victor, to Ahmat Izergue, a herder, for \$13 (6,600 CFA francs). Such practices were a consequence of parental resignation, dislocation of the family unit, endemic poverty, lack of appropriate legal protection, demographic and population explosion, and civil war. The instability resulting from civil wars contributed to the Government's limited ability to improve living conditions of children. Despite the ratification of international conventions on child labor, no government policies protecting child labor existed before the National Assembly ratified the U.N. International Program on the Elimination of Child Labor in November 2000.

There were reports that in the southern part of the country, families contracted out their children to Arab nomadic herders to help care for their animals, and the children often were abused and returned with little financial compensation for their work. Some children worked as domestic servants in the households of relatives for little compensation.

Several human rights organization reported on the problem of the "mahadjir" children. These children, who attend certain religious schools, were forced by their teachers to beg for food and money.

The Government worked with UNICEF to increase public awareness of child labor. During the year, the Government cosponsored with UNICEF a number of workshops, seminars, and radio broadcasts to raise

awareness of the abuses of child labor and to advocate elimination of the worst forms of child abuse. The labor law states anyone under the age of 18 is a minor, and, in accordance with ILO Convention 182, it prohibits children from undertaking "any work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."

The Government prohibits forced and bonded child labor; however, forced child labor is a problem (see Section 6.c.).

#### e. Acceptable Conditions of Work

The Labor Code applies to both foreign and domestic workers and requires the Government to set minimum wages. The minimum wage at year's end was \$35 (25,480 CFA francs) per month. Most wages, including the minimum wage, were insufficient to provide a decent standard of living for a worker and family. Nearly all private sector and state-owned firms paid at least the minimum wage, but the lowest public sector wages remained below the minimum wage. The Government increased civil servant's salaries by 5 percent in January 1999, but salaries were not increased subsequently. In 1999 the Government reduced wages paid to the armed forces, which already were well below the minimum wage.

The State, which owns businesses that dominate many sectors of the formal economy, remained the largest employer. The Government reduced significantly the large salary arrears owed to civil servants and military personnel, although some arrears remain. Nevertheless, wages remained low and many state employees continued to hold second jobs, raise their own food crops, or rely on family members for support.

The law limits most agricultural work to 39 hours per week, with overtime paid for supplementary hours. Agricultural work is limited to 2,400 hours per year. All workers are entitled to an unbroken period of 48 hours of rest per week, although in practice these rights rarely were enforced.

The Labor Code mandates occupational health and safety standards and inspectors with the authority to enforce them; however, these standards rarely were respected in practice in the private sector and were nonexistent in the civil service. The UST has alleged before the ILO that the labor inspection service is not allocated the resources necessary to perform its duties. In principle workers can remove themselves from dangerous working conditions; however, in practice they cannot leave without jeopardizing their employment.

All workers--foreign, citizen, legal, or illegal--are protected under the Labor Code.

#### f. Trafficking

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, or within the country.

The Penal Code makes trafficking in persons a crime punishable by 5 to 20 years in prison; however, no governmental organization focused on the potential problem, and no economic or financial aid would be available unless a victim seeks damages in court. The Government has sponsored educational campaigns through the media to advise parents to instruct children about the danger of trusting strangers.